

ORIGINAL

HARLAN Y. KIMURA #3321  
Central Pacific Plaza  
220 South King Street, Suite 1660  
Honolulu, Hawaii 96813  
Telephone No. (808) 521-4134  
Facsimile No. (808) 521-0361  
E-mail: [hyk@aloha.net](mailto:hyk@aloha.net)

Attorney for Defendant  
ROY L. FROST

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 20 2006

at 11 o'clock and 00 min. AM  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00117 DAE
	)	
Plaintiff,	)	NOTICE OF MOTION TO
	)	WITHDRAW AS COUNSEL;
vs.	)	MOTION TO WITHDRAW AS
	)	COUNSEL; DECLARATION OF
ROY L. FROST,	)	COUNSEL; CERTIFICATE OF
	)	SERVICE
Defendant.	)	
	)	Date: July 26, 2006
	)	Time: 3:00 p.m.
	)	Judge: Leslie E. Kobayashi

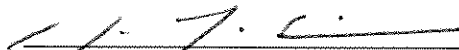
NOTICE OF MOTION TO WITHDRAW AS COUNSEL

TO: EDWARD H. KUBO, JR., ESQ.  
United States Attorney  
WES REBER PORTER, ESQ.  
Assistant U.S. Attorney  
Room 6100, PJKK Federal Building  
300 Ala Moana Blvd., Box 50183  
Honolulu, HI 96850

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

PLEASE TAKE NOTICE that the following motion will be heard before The Honorable Leslie E. Kobayashi in her courtroom in the United States Courthouse, 300 Ala Moana Boulevard, Second Floor, Honolulu, Hawaii 96850, on July 26, 2006 at 3:00 p.m., or as soon thereafter as counsel may be heard.

DATED at Honolulu, Hawaii, JUL 20 2006.



HARLAN Y. KIMURA  
Attorney for Defendant  
ROY L. FROST

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00117 DAE
	)	
Plaintiff,	)	MOTION TO WITHDRAW AS
	)	COUNSEL
vs.	)	
	)	
ROY L. FROST,	)	
	)	
Defendant.	)	
_____	)	


**MOTION WITHDRAW AS COUNSEL**

COMES NOW HARLAN Y. KIMURA, and hereby requests this Honorable Court to permit him to withdraw as Counsel for Defendant ROY L. FROST (hereinafter "Frost") because: (a) the Attorney-Client relationship between Frost and him is irreparably and irretrievably broken; and (b) Frost has advised him to file the instant motion because he will be asserting "Ineffective Assistance Of Counsel" as grounds to set aside and/or collaterally attack the Judgment In A

Criminal Case filed herein on June 30, 2006, as well as any other orders or judgments previously entered herein.

This Motion is based upon Rules 44 and 47 of the Federal Rules of Criminal Procedure, the attached Declaration Of Counsel, the records and files in this case, and the arguments of counsel to be made at a hearing thereon.

DATED at Honolulu, Hawaii, JUL 20 2006.

  
HARLAN Y. KIMURA  
Attorney for Defendant  
ROY L. FROST